



July 14, 2022

VIA ECF

Hon. Joanna Seybert, U.S.D.J.
United States District Court
100 Federal Plaza
Central Islip, New York 11722

Re: *Wilson v. Suffolk County, et al.*
21 Civ. 3716 (JS) (SIL)

Dear Judge Seybert,

I represent the plaintiff, Ron Wilson, in the above-referenced matter.

As counsel for the defendants informed the Court, the Second Circuit affirmed the decision of the district court in the matter of *John Does 1-10 v. Suffolk County* dismissing the complaint and denying their request for a preliminary injunction.

What was not brought to the Court's attention were the reasons for the Second Circuit's decision. Specifically, the Circuit Court affirmed the district court's (i) rejection of the plaintiffs' request to proceed anonymously; (ii) finding that the plaintiffs lacked standing to proceed with a 'pre-enforcement challenge' because their fears of arrest and prosecution were speculative. ("the circumstances at issue here do not suggest that Does suffered, or at a substantial risk of suffering, an injury in fact.")

Most relevant is the fact that the Circuit Court found that "the district court never addressed the underlying merits of Does' action..."

In stark contrast, Mr. Wilson has suffered concrete injury, including the unlawful confiscation of property that he legally possessed.

As set forth in my June 27, 2022 letter to the Court, the State Legislature's amendment to Penal Law § 265.00(3) conclusively forecloses Suffolk County's argument that its written policy – and confiscation of Mr. Wilson's CT4-2A Other Firearms – were implemented and enforced pursuant to the New York State Penal Law.

The purchase and possession of the CT4-2A Other Firearm was legal until July 6, 2022. Thus, Defendants' seizure of Plaintiff's legally possessed firearms was without any legal authority, under false pretenses, and a violation of his rights as protected by the Fourth, Fifth, and Fourteenth Amendments.

Sincerely,

/s

Amy L. Bellantoni